

(vii) Failure by the owner or operator to fulfill in any way the notification and reporting requirements of this Section shall constitute a waiver of any claim of a force majeure event as to which proper notice and/or reporting was not provided.

(viii) Any extension of one deadline based on a particular incident does not necessarily constitute an extension of any subsequent deadline(s) unless directed by the Administrator. No force majeure event caused by the absence of any administrative, regulatory, or legislative approval shall allow the Mohave Generating Station to operate after December 31, 2005, without installation and operation of the control equipment described in paragraph (d)(2) of this section.

(ix) If the owner or operator fails to perform an activity by a deadline in paragraphs (d)(3) or (4) of this section due to a force majeure event, the owner or operator may only be excused from performing that activity or activities for that period of time excused by the force majeure event.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 67 FR 6133, Feb. 8, 2002; 69 FR 54019, Sept. 7, 2004]

§ 52.1489 Particulate matter (PM-10) Group II SIP commitments.

(a) On March 29, 1989, the Air Quality Officer for the State of Nevada submitted a revision to the State Implementation Plan for Battle Mountain that contains commitments, for implementing all of the required activities including monitoring, reporting, emission inventory, and other tasks that may be necessary to satisfy the requirements of the PM-10 Group II SIPs.

(b) The Nevada Division of Environmental Protection has committed to comply with the PM-10 Group II, State Implementation Plan (SIP) requirements.

[55 FR 18111, May 1, 1990]

Subpart EE—New Hampshire

§ 52.1519 Identification of plan—conditional approval.

(a) The following plan revisions were submitted on the dates specified.

(1) On January 12, 1993, the New Hampshire Department of Environmental Services submitted a small business stationary source technical and environmental compliance assistance program (PROGRAM). On May 19, 1994, New Hampshire submitted a letter deleting portions of the January 12, 1993 submittal. In these submissions, the State commits to designate a state agency to house the small business ombudsman and to submit adequate legal authority to establish and implement a compliance advisory panel and a small business ombudsman. Additionally, the State commits to have a fully operational PROGRAM by November 15, 1994.

(i) Incorporation by reference.

(A) Letter from the New Hampshire Department of Environmental Services dated January 12, 1993 submitting a revision to the New Hampshire State Implementation Plan.

(B) State Implementation Plan Revision for a Small Business Technical and Environmental compliance Assistance Program dated January 12, 1993.

(C) Letter from the New Hampshire Department of Environmental Services dated May 19, 1994 revising the January 12, 1993 submittal.

(ii) Additional materials.

(A) Non-regulatory portions of the State submittal.

(2) [Reserved]

(b)–(c) [Reserved]

[59 FR 50506, Oct. 4, 1994, as amended at 59 FR 51517, Oct. 12, 1994; 60 FR 47290, Sept. 12, 1995; 66 FR 1871, Jan. 10, 2001]

§ 52.1520 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for New Hampshire under section 110 of the Clean Air Act, 42 U.S.C. 7410 and 40 CFR part 51 to meet national ambient air quality standards or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to August 18, 2009, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as